IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22502 of 2004

Between:

Sri Vurukuta Thammayya, S/o.Appalaswamy,
Nadupuru Village, Visakhapatnam Dist.

..... PETITIONER

AND

1 The Special officer, Land Acquisition for steel plant, Behind collector office Visakhapatnam.
2 The District Collector, Visakhapatnam, Visakhapatnam Dist.

..RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate order or direction more particular a writ in the nature of writ of Mandamus directing the respondents to deposit the compensation amount as per the Award passed in O.P.No.121/1980 dt.28-10-1986 on the file of the 1st Addl. Senior Civil Judge, Visakhapatnam forthwith as otherwise the petitioner suffer irreperable loss and injury and pass such other order or orders.

Counsel for the Petitioner:MR.REDDY VENKATA RAMANA

Counsel for the Respondent No.1 and 2 : GP FOR LAND ACQUISITION

The Court at the stage of admission made the following :

ORDER:

It is stated in the affidavit filed in support of the writ petition that the land of the petitioner was acquired for the purpose steel plant and award dated 30-6-1979. On the request of the petitioners, the matter was referred to Civil Court for enhancement of the compensation and the same was registered as O.P.No.121 of 1980 on the file of the II Additional Senior Civil Judge, Visakapatnam and an award was passed on 28-10-1986. The grievance of the petitioner is that though the award was passed in the year 1986, the amounts were not paid till date. The petitioner stated to have issued a legal notice on 27-1-2003 to the respondent demanding payment of the compensation. Since, no action was taken thereon, the present writ petition is filed.

Heard the learned counsel for petitioner and learned Government Pleader for Land Acquisition.

The grievance of the petitioner is that though compensation was awarded, the amounts were not paid till date. The amount as per the award is not deposited, the remedy for the petitioner is to initiate appropriate execution proceedings before the competent Court. Without availing such a remedy provided under law, the petitioner has approached this Court by filing the present writ petition.

For the foregoing reason, the writ petition fails and the same is dismissed granting liberty to the petitioner to avail the remedies available under law. No costs.

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N.V.RAMANA,J

7-12-2004

tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Special officer, Land Acquisition for steel plant, Behind collector office Visakhapatnam.
2 The District Collector, Visakhapatnam, Visakhapatnam Dist.

3.2CCs to G.P. for Land Acquisition, High Court of A.P. buildings, Hyderabad (OUT)

4.2CD copies

5.2CCs to